

REMARKS

The Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

I. Status of the Claims

Claims 1-11 are cancelled, and claims 1-5, 10-11, and 8 are rewritten as claims 12-19, respectively. Support for “aggregation” in the claims can be found, for example, on page 5, lines 1-5. Support for the limitation “wherein the antibody consists of two heavy chains and two light chains” in claims 12-15 can be found, for example, on page 21, lines 1-3. Support for “substantially minimizing presence of a functional GPVI on the platelet” in claim 14 can be found, for example, on page 29, lines 2-5. Support for the limitation “which specifically binds to human platelet membrane glycoprotein VI (GPVI)” in claims 16, 17, 18, can be found, for example, in the Abstract. No new matter has been added, and claims 12-19 are currently pending to be examined on their merits.

II. Claim Rejections – 35 U.S.C. § 112

Claims 1-4 are rejected under 35 U.S.C § 112, second paragraph, as allegedly being indefinite. Claim 11 is rejected under 35 U.S.C § 112, first paragraph, as failing to comply with the enablement requirement. The Applicants respectfully traverse.

Without acquiescing to the grounds of rejections, the Applicants have rewritten the claims as new claims. With the amendments, new claims 12-15 have overcome the indefiniteness rejections, and new claim 18 has overcome the enablement rejections. The Applicants further add clarification for the antibody as recited in claims 16 and 17, per the Office’s suggestion. Page 4, Office Action. Thus, the Applicants respectfully request that all rejections under 35 U.S.C § 112 be withdrawn.

III. Claim Rejections – 35 U.S.C. § 102

Claims 1-5, 8, 10, and 11 are rejected under 35 U.S.C. § 102(b), as allegedly being anticipated by Garman (*Nature*, 2000, 406: 259-266), Smethurst (WO 03/054020), Qian (*Human Antibodies*, 2002, 11(3):97-105), and/or Kishimoto (*Nucleic Acids Research*, 1989, 17:4385). The Applicants respectfully traverse.

Garman does not teach at all a human antibody, which specifically binds to GPVI and does not induce a human platelet aggregation independently. Nor does it disclose that the antibody consists of two heavy chains and two light chains. Because Garman does not teach every element recited in the present claims, it cannot anticipate the present claims.

Neither Smethurst nor Qian discloses that the antibody consists of two heavy chains and two light chains, as recited in claims 12-15. Because neither Smethurst nor Qian teaches every element recited in the present claims, neither can anticipate the present claims.

Kishimoto does not disclose a human monoclonal antibody, which specifically binds to human platelet membrane GPVI, as recited in claim 18. Because Kishimoto does not teach every element recited in claim 18, it cannot anticipate claim 18.

IV. Provisional Obviousness-Type Double Patenting

Claims 1-4, and 8 are provisionally rejected over claims 1-13, 20-22, and 24 of copending Application No. 11/816,233, and over claims 1-15, 22-24, and 26 of copending Application No. 11/912,757 based on obviousness-type double patenting. The Applicants respectfully request that these rejections be held in abeyance until the other rejections are overcome in the present application. The Applicants would like to attend to these rejections when they become the last remaining rejection in the present application

CONCLUSION

The Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date Dec. 3, 2008

By Stephen B. Maebius

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264